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Attorney Docket No. 5470-371

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Davis et al.

Serial No. 10/517,083

Filed: TBD

For: **IMPROVED ALPHAVIRUS VECTORS HAVING ATTENUATED VIRION STRUCTURAL PROTEINS**

Group Art Unit:

Examiner:

Confirmation No. 8732

Date: January 11, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Attached is a list of documents on Form PTO-1449, together with a copy of any listed foreign patent document and/or non-patent literature. A copy of any listed U.S. patent and/or U.S. patent application publication is not provided herewith in accordance with the amendment by the U.S. Patent and Trademark Office to 37 C.F.R. § 1.98(a)(2)(ii) effective October 21, 2004.

Applicants state that each document listed on the accompanying PTO-1449 form was cited in a communication from a foreign patent office in a counterpart application and, further, this communication was not received by any individual designated in 37 C.F.R. §1.56 (c) more than thirty days prior to the filing of this Information Disclosure Statement in accordance with the provisions of 37 C.F.R. §1.704 (d). Accordingly, this submission is not to be considered a failure to engage in reasonable efforts to conclude prosecution of the above-referenced application under 37 C.F.R. §1.704.

It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. § 1.56 and Section 609 of the MPEP. No fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,


Karen A. Magri
Registration No. 41,965

In re: Davis et al.
Serial No. 10/517,083
Filed: TBD
Attorney Docket No. 5470-371



CERTIFICATE OF EXPRESS MAILING

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sarah Brunmeier

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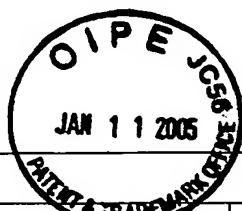
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LIST OF DOCUMENTS CITED BY APPLICANT

(Use several sheets if necessary)

A1 of A1



U. S. PATENT DOCUMENTS

Examiner Initial	Document Number	Patent Date	Name	Class	Subclass	Filing Date if Appropriate
	1. 5,643,576	July 1, 1997	Johnston et al.			
	2. 5,792,462	Aug. 11, 1998	Johnston et al.			

FOREIGN PATENT DOCUMENTS

	Document Number	Date of Publication	Country	Class	Subclass	Translation Yes No
	3. International Search Report PCT/US03/19626		PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

4.	PUSHKO et al., "Replion-helper systems from attenuated venezulan equine encephalitis virus: expression of heterologous genes in vitro and immunization against heterologous pathogens in vivo," <i>Virology</i> 239: 389-401 (1997).					

EXAMINER _____

*EXAMINER _____

DATE CONSIDERED

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.